

REMARKS

Applicant requests favorable reconsideration and allowance of the subject application in view of the preceding amendments and the following remarks.

To place the application in better form, Applicant submits herewith a substitute specification, which includes a new abstract. For the Examiner's convenience, also provided is a marked-up copy of the original specification showing the portions thereof which are being changed. The substitute specification includes the same changes as are indicated in the marked-up copy. Applicant's undersigned attorney has reviewed the substitute specification and submits that the substitute specification contains no new matter.

Claims 12-20 are presented for consideration in lieu of claims 1-11, which have been canceled without prejudice or disclaimer. Claims 12, 19 and 20 are independent. Support for these claims can be found in the original application, as filed. Accordingly, no new matter has been added.

Applicant requests favorable reconsideration and withdrawal of the objection and rejections set forth in the above-noted Office Action.

Claim 10 was objected to on formal grounds as being in improper independent form. Claims 1-10 having been canceled without prejudice or disclaimer, this objection has become moot and should be withdrawn from consideration. Such favorable indication is requested. Nevertheless, the Examiner's comments were taken into consideration when presenting new claims 12-20.

Claims 8 and 9 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Specifically, the Examiner asserted that the recitation in claim 8 of "a device manufacturing apparatus," and the recitation in claim 9 of "an exposure apparatus for exposing a

substrate to a pattern” do not point out and/or distinctly claim the subject matter of Applicant’s invention. The Examiner further contended that the use of the terms “exposure” and “pattern” in claim 9 is unclear. Claims 1-10 having been canceled without prejudice or disclaimer, this objection has become moot and should be withdrawn from consideration. Such favorable indication is requested. Nevertheless, the Examiner’s comments were taken into consideration when presenting new claims 12-20.

Turning now to the art rejection, claims 1-11 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,629,981 to Nerlikar. Applicant submits that the cited art does not teach or suggest many features of the present invention, as previously recited in these claims. Therefore, this rejection is respectfully traversed. Nevertheless, Applicant submits that independent claims 12, 19 and 20, for example, as presented, amplify the distinctions between the present invention and the cited art.

In one aspect of the present invention, independent claim 12 recites an apparatus including a user interface configured for a user to perform an operation of the apparatus, a sensor arranged at the user interface and configured to detect whether a user exists within a predetermined distance from the sensor, and a processor configured to determine, based on an output of the sensor, whether a change from an existence of a user to an absence of the user has occurred, and to limit an item operable from the user interface if it is determined that the change has occurred.

In another aspect of the present invention, independent claim 19 recites a method of manufacturing a device. The method includes steps of transferring a pattern of a reticle to a wafer using an exposure apparatus, developing the exposed substrate, and processing the developed substrate to manufacture the device. The exposure apparatus includes (i) a user

interface configured for a user to perform an operation of the apparatus, (ii) a sensor arranged at the user interface and configured to detect whether a user exists within a predetermined distance from the sensor, and (iii) a processor configured to determine, based on an output of the sensor, whether a change from an existence of a user to an absence of the user has occurred, and to limit an item operable from the user interface if it is determined that the change has occurred.

In a further aspect of the present invention, independent claim 20 recites a method including steps of detecting, by use of a sensor arranged at a user interface of an apparatus, whether a user exists within a predetermined distance from the sensor, the user interface being configured for a user to perform an operation of the apparatus, determining, based on a detection in the detecting step, whether a change from an existence of a user to an absence of the user has occurred, and changing an item operable from the user interface if it is determined in the determining step that the change has occurred.

By such an arrangement, the present invention provides the ability to determine, based on an output of the sensor, whether a change from an existence of a user to an absence of the user has occurred, so that an item operable from the user interface can be limited if it is determined that the change has occurred. By virtue of this feature of the present invention, in a case in which a user who has operated the apparatus, for example, at a high user level, temporarily moves away from a user interface, such as a console, an item operable from the user interface can be limited. For example, the number of operable items can be reduced. In this manner, the present invention reduces the possibility of erroneous operation by a user who has a low user level during an absence of a user having a high user level.

Applicant submits that the cited art does not teach or suggest such features of the present invention, as recited in independent claims 12, 19 and 20.

The Nerlikar patent teaches an RFID badge (RFID device) which operates via a particular radio frequency in order to provide a positive identification of the wearer, in order to provide the ability to communicate with a single or a multiple host/network equipment or facility segment. In addition, the Nerlikar patent teaches a radio frequency reader, which is associated with a terminal device or other equipment, such as a lock mechanism. The RF reader automatically interrogates the RFID device, which responds by broadcasting identification, so that the RF reader identifies and varies authorization of the RFID device, and either stores a record of the transaction or communicates a record of the transaction to a server database prior to allowing access to the terminal device or other equipment. Still further, the Nerlikar patent teaches that unauthorized entry will be rejected because a location stamp utilizing a GPS location code and a limited number of locations in which transactions are authorized are introduced.

Applicant submits, however, that the Nerlikar patent does not teach or suggest salient features of Applicant's present invention, as recited in independent claims 12, 19 and 20, such as determining, based on an output of a sensor, whether a change from an existence of a user to an absence of the user has occurred and limiting an item operable from the user from the user interface if it is determined that the change has occurred. Accordingly, the Nerlikar patent does not teach or suggest many features of Applicant's present invention as recited in the independent claims, and should not be read to anticipate Applicant's invention, as recited in those claims.

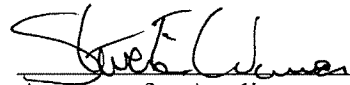
For the foregoing reasons, Applicant submits that the present invention, as recited in independent claims 12, 19 and 20, is patentably defined over the cited art.

Dependent claims 13-18 also should be deemed allowable, in their own right, for defining other patentable features of the present invention in addition to those recited in independent claim 12. Further individual consideration of these dependent claims is requested.

Applicant submits that the instant application is in condition for allowance. Applicant requests favorable reconsideration, withdrawal of the objection and rejections set forth in the above-noted Office Action and an early Notice of Allowance.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should be directed to our address listed below.

Respectfully submitted,



Attorney for Applicant
Steven E. Warner
Registration No. 33,326

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3800
Facsimile: (212) 218-2200

FCHS_WS 1410258_1.DOC